

Serial No.: 09/588,763
Attorney Docket No.: F-160

Patent

REMARKS

Claims 1 -18 were currently pending in the Application. Applicant has amended claims 5 and 14. Applicant respectfully requests entry of the above amendments and consideration of the enclosed remarks. Applicant submits that no new matter is added. Accordingly, claims 1-18 will remain pending in the application.

The amendment to claims 5 and 14 is purely cosmetic and not made for any reason of patentability.

In section 3 of the Office Action, the Examiner rejected Claims 1, 8-10, 17 and 18 under 35 U.S.C. 102(b) as allegedly anticipated by U.S. Patent No. 5,754,939 to Herz, et al. ("Herz '939").

Applicant respectfully traverses the rejection.

With regard to claims 1 and 10, Applicant respectfully submits that the cited reference does not teach "a log of recipient preference profiles ... accessed by a particular sender" and "the web server provides a change notification to the particular sender of a change in the recipient preference profile." The cited reference does not teach such limitations at Col. 47, line 66 through Col. 48, line 3 and Col. 48, lines 3-6 and Col. 63, lines 50-58 as stated by the Examiner.

Furthermore, with regard to claims 8 and 17, Applicant respectfully submits that the Examiner has not cited a system which "provides a new recipient notification to those senders whose industry description data matches the new recipient's interest data."

Furthermore, with regard to claims 9 and 18, Applicant respectfully submits that the Examiner has not cited a system which uses "instructions provided in the plurality of sender profiles" in "providing new recipient notification."

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claims 1, 8-10, 17 and 18.

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In section 4 of the Office Action, the Examiner rejected Claims 2-7 and 11-16 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent No. 5,754,939 to Herz, et al. ("Herz '939") in view of alleged prior art taken by official notice.

Applicants respectfully traverse the rejection. Initially, dependent claims 2-7 and 11-16 are patentable over the cited references for at least the reasons stated above with reference to independent claims 1 and 10. Applicants respectfully submit that the Examiner has not put forth a prima facie case of obviousness.

Furthermore, with respect to claims 2 and 11, Applicants respectfully submit that the cited references are not properly combined. Applicant respectfully submits that there is no motivation to combine Herz '939 with a profile chosen notification format as the reference apparently teaches a rigid communications structure for security.

Furthermore, with respect to claims 3 and 12, Applicants respectfully submit that the Examiner has not shown that the cited references teach or fairly suggest "new recipient notification to ... senders".

Furthermore, with respect to claims 4 and 13, Applicants respectfully submit that the Examiner has not shown that the cited references teach or fairly suggest a system which uses "instructions provided in the plurality of sender profiles" in providing "new recipient notification."

Furthermore, with respect to claims 5 and 14, Applicants respectfully submit that the Examiner has not shown that the cited references teach or fairly suggest a system that "provides a listing of other senders whose industry description data matches the ... recipient preference profiles interest data."

Furthermore, with respect to claims 6, 7, 15 and 6, Applicants respectfully submit that the Examiner has not shown that the cited references teach or fairly suggest a system that "a listing of ... senders that have accessed the recipient preference profile."

Accordingly, for at least the reasons stated above, Applicants respectfully submit that the cited references do not alone or in proper combination render the

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invention as presently claimed in claims 2-7 and 11-16 obvious. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claims 2-7 and 11-16.

Accordingly, Applicants submit that the invention as presently claimed in claims 1-18 is patentable over the cited references and in condition for allowance.

CONCLUSION OF REMARKS

For at least the reasons stated above, it is respectfully submitted that the remaining claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicants at (203) 924-3180.

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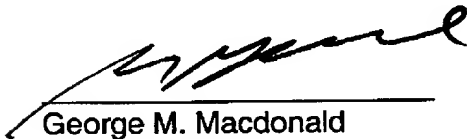
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AUTHORIZATION

No fee is believed due with this response, other than the fee enclosed with the attached petition for a one-month extension of time to respond. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-160.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-160.

Respectfully submitted,



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APPENDIX A

Version with Markings to Show Changes Made

In the Specification

The specification is amended in accordance with the marked up version shown below.

Please replace the following section on page 1:

Cross Reference to Related Applications

This application is related to the following co-pending applications filed concurrently herewith and commonly assigned to the assignee of this application: US Patent Application Number 09/588,443 [aa/aaa,aaa], entitled MESSAGING SYSTEM HAVING RECIPIENT PROFILING [(Attorney Docket No. E-848)] and US Patent Application Number 09/588,853 [aa/aaa,aaa], entitled RECIPIENT CONTROL OVER ASPECTS OF INCOMING MESSAGES [(Attorney Docket No. F-126)], both of which are specifically incorporated herein by reference.

In the claims:

Claims 5 and 14 has been amended according to the marked up version shown below:

5. (Amended) The information delivery system of claim 4, wherein:
each of the recipient preference profiles includes respective no interest data;
and

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if a given sender accesses one of the plurality of recipient preference profiles and the given sender's industry description data matches the one of the plurality of recipient preference profiles no interest data, then the web server provides a listing of other senders whose industry description data [that] matches the one of the plurality of recipient preference profiles interest data.

14. (Amended) The method of claim 13, wherein:

each of the recipient preference profiles includes respective no interest data;

and

further comprising the step(s) of:

if a given sender accesses one of the plurality of recipient preference profiles and the given sender's industry description data matches the one of the plurality of recipient preference profiles no interest data, then providing a listing of other senders whose industry description data [that] matches the one of the plurality of recipient preference profiles interest data.